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BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Thomas A. Osborne et al.

Appln. No.: 10/642,513

Filed: August 15, 2003

For: Stent and Method of Forming a Stent
with Integral Barbs

Attorney Docket No: 12730-11

Examiner: William H. Matthews

Art Unit: 3738

Mail Stop RCE
Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)

Sir:

Applicants request continued examination of the above-identified application under 37 C.F.R. §1.114.

☒ Submission under 37 CFR 1.114 (*check at least one of the following*):

☒ Previously submitted:

☒ Applicants requests nonentry of any previously-filed unentered amendments.

☐ Please enter and consider the Amendment After Final Under 37 C.F.R. §1.116 previously filed on _____

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☐ Other: _____

☒ Attached is:

☐ An Information Disclosure Statement

☒ An Amendment to the written description, claims, or drawings

☐ New Arguments and/or New Evidence in support of Patentability

☐ Other: _____

☐ Request for suspension of action:

Applicant(s) hereby request suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 C.F.R. §1.17(i)).

☐ Small Entity Status:

☐ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.

☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ / _____ and such status is still proper and desired.

☐ Is no longer desired.

☒ Applicants calculate the following fee to be due in connection with this Request:

☒ A Request fee of \$790.00 under 37 C.F.R. §1.17(e).

☐ A suspension processing fee of \$_____ under 37 C.F.R. §1.17(i).

☐ An additional filing fee of \$_____ under 37 C.F.R. §1.16 (_____ additional independent claims and/or _____ additional total claims).

☐ An extension fee of \$_____ under 37 C.F.R. §1.17(a).

☒ Fee payment to cover the above-enumerated fee:

☒ A check in the amount of \$790.00 is enclosed.

☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A copy of this Request is enclosed for this purpose.

☐ A payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE). A copy of this Request is enclosed for this purpose.

Respectfully submitted,

January 10, 2007
Date


Jason W. Schigelone (Reg. No. 56,243)